

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Donald E. Curtis,

Case No. 3:23-cv-1815

Plaintiff,

v.

ORDER

J. Castle, et al.,

Defendants.

On October 5, 2023, I issued an Order rejecting Plaintiff's objections to the assignment of United States Magistrate Judge Darrell A. Clay to this case. (Doc. No. 7). I also affirmed Judge Clay's previous Order, (Doc. No. 3), and stated,

As ordered by Judge Clay, Plaintiff must "either to pay the full fee of \$ 402.00 or submit the accompanying Prisoner Affidavit along with a certified copy of his prison trust account statement for the last six months." (*Id.*). Judge Clay's deadline stands. Plaintiff must comply within 30 days of Judge Clay's Order. If Plaintiff fails to comply with his Order on or before October 27, 2023, this action will be dismissed without further notice.

(Doc. No. 7).

Plaintiff did not pay the filing fee or submit the required Prisoner Affidavit along with a certified copy of his prison trust account statement for the last six months. Instead, he filed another objection. (Doc. No. 8). I reject this objection for the same reasons stated in my previous Order. (Doc. No. 7).

Because Plaintiff has failed to timely comply with Judge Clay's and my Orders, I dismiss this action without prejudice for want of prosecution. *See Davis v. United States*, 73 Fed. App'x 804, 2003 WL 21956990 (6th Cir. 2003) (affirming dismissal of inmate's *in forma pauperis* action where inmate

failed to comply with the court's deficiency order). I further certify, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge